

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MONTENQUE NAKIA KNOX,

Petitioner,

vs.

E.K. McDANIELS, *et al.*,

Respondents.

3:10-cv-00772-LRH-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the petition. Petitioner must either submit the \$5.00 filing fee for habeas petitions or an application to proceed *in forma pauperis*.

IT THEREFORE IS ORDERED that this action is **DISMISSED** without prejudice to the filing of a **new petition in a new action**. The Clerk of the Court shall enter judgment accordingly.

IT FURTHER IS ORDERED that the Clerk of the Court shall send petitioner two copies of an *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two copies of a blank 28 U.S.C. § 2254 habeas petition form, and one copy of instructions for the same.

Dated this 14th day of December, 2010.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE